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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,464	12/08/2003	Lars Christian Herzbach	600.1294	2929
23280	7590	09/10/2004	EXAMINER	
DAVIDSON, DAVIDSON & KAPPEL, LLC 485 SEVENTH AVENUE, 14TH FLOOR NEW YORK, NY 10018			WILLIAMS, KEVIN D	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 09/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/730,464

Applicant(s)

HERZBACH ET AL.

Examiner

Kevin D. Williams

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 08 December 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/8/03.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 6-10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Koga (US 5,424,815).

Koga teaches a device for processing a printing substrate comprising a rotatable carrier body 25, at least one processing tool 8 accommodated on the rotatable carrier body, the carrier body having, at least partially, a magnetizable coating 63, the magnetizable coating when magnetized holding the processing tool on the carrier body by magnetic force (col. 8, lines 11-17), the magnetizable coating being an electroplating (col. 8, lines 30-35), the carrier body containing cast steel (10; col. 5, line 21) or a fiber composite, the carrier body being magnetizable, the carrier body being a rotating body or cylinder, and the processing tool being accommodated on a lateral surface of the rotating body or cylinder (Fig. 2).

3. Claims 1, 8-10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Wright (US 3,810,055).

Wright teaches a device for processing a printing substrate comprising a rotatable carrier body 10, at least one processing tool (plate; col. 2, line 37)

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accommodated on the rotatable carrier body, the carrier body having, at least partially, a magnetizable coating 12,14 , the magnetizable coating when magnetized holding the processing tool on the carrier body by magnetic force, the carrier body being magnetizable, the carrier body 10 being a rotating body or cylinder, and the processing tool being accommodated on a lateral surface of the rotating body or cylinder.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wright in view of Bain (US 5,038,680).

Wright teaches the claimed invention except for the coating being corrosion resistant stainless steel with a nickel content of 80 to 95 percent, and the nickel content being 91 to 93 percent and the rest iron.

Bain teaches a magnetic corrosion resistant stainless steel (col. 6, lines 64-66 for holding printing plates.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wright to have the stainless steel as taught by Bain, in order to utilize a durable yet inexpensive material.

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It would have also been obvious to one of ordinary skill in the art at the time of the invention to additionally modify Wright through routine experimentation to have a nickel content of 80 to 95 percent and to have a nickel content of 91 to 93 percent and the rest iron.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wright in view of Friedrichs (DE 10147486 A1).

Wright teaches the claimed invention except for the processing tool being a die plate or a perforating plate.

Friedrichs teaches a processing tool being a die plate 27 or a perforating plate.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wright to have the die plate as taught by Friedrichs, in order to allow the carrier body to function as a die cylinder, thus providing more versatility to the carrier body.

7. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wright in view of Albus (US 2001/0045166).

Wright teaches the claimed invention except for at least one printing unit and a device for processing a printing substrate being arranged downstream of the printing unit.

Albus teaches at least one printing unit 13 and a device (plate cylinder 1 of downstream printing unit 14,15,16) for processing a printing substrate being arranged downstream of the printing unit.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Wright to have a plurality of printing units as taught by Albus, in order to print multicolor images.


Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (571) 272-2172. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KDW
September 7, 2004



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